

UTAH COUNTIES INSURANCE POOL  
in coordination with  
ALTERNATIVE SERVICE CONCEPTS,  
L.L.C.

RISK MANAGEMENT PROGRAM  
AUGUST 24-26, 2004

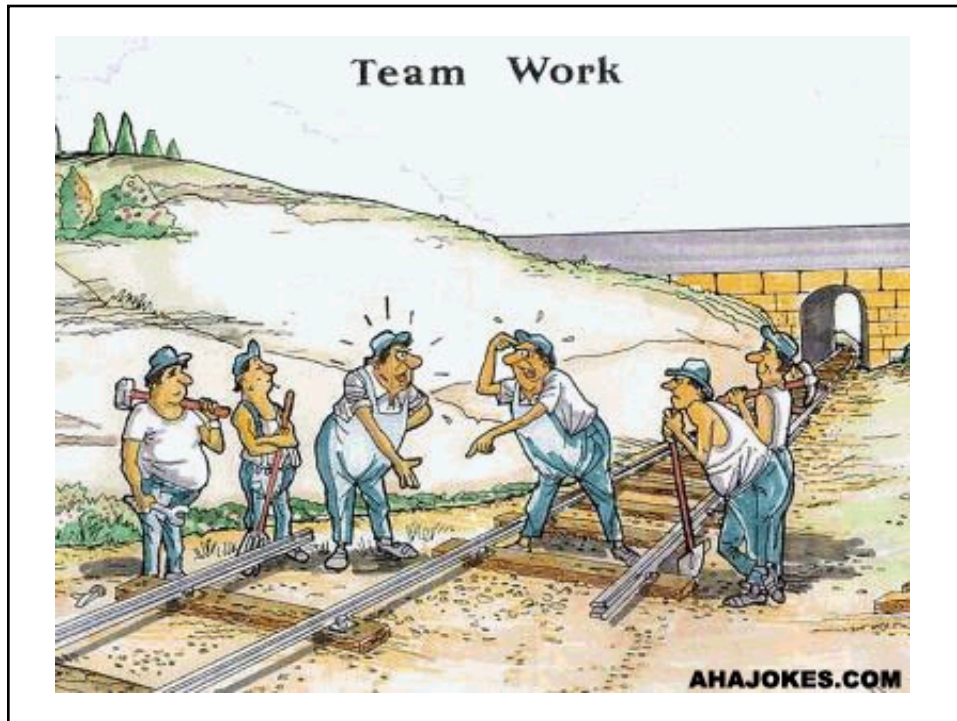
CLAIM PROCESSING  
MANAGING WORKERS  
COMPENSATION CLAIMS

1

**Before Workers Compensation Insurance**

- If the employer failed to meet it's common law duties and caused an injury to an employee, the employee had a basis for suing the employer.
- Employers had several common law defenses and the number of claims that could be denied using these defenses made it difficult to successfully sue the employers.
- If the employee prevailed, the judgements were very large leaving the employers financially vulnerable.
- Employees who were injured because of their own negligence had no coverage.

2



3

### Definition of an Accident

- Prior to 1986, in addition to requiring a specific time, place and event, the accident had to be something unusual or out of the ordinary of the normal job duties of the employee.

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4

### Allen Decision

- Utah Supreme Court decision in 1980 set forth a specific definition of accident to be used in workers compensation cases and a two-part test for compensability.
- **Legal Causation:** divided into 2 categories, one for injured workers with no pre-existing and one for injured workers with relevant pre-existing conditions.
- **Medical Causation:** Injured workers must show by some sort of medical evidence or opinion that the exertion required by the work led to the resulting injury.

5

### Get Involved With Our Claims



- Implement a County accident policy for reporting injuries, who to report to and what information is needed.
- Supervisor to contact injured employee within 24 hours and maintain contact
- Require employee to visit the work place periodically to discuss treatment, modified duty, etc.
- Delayed reporting increases cost

6

### Labor Commission Rule

- First reports (#122) must be submitted within 7 days of notice to you. **WC Rule R612-1-3(A)**
- Division imposed penalty for late report - **34A-2-407**
- An employer who refuses or neglects to make reports, maintain records, or to file reports with the division is guilty of a **Class “C” Misdemeanor** and subject to a civil assessment of up to **\$500.00**

7

### Control Medical Costs

- Emergency Room visits
- Unnecessary or inappropriate medical treatment.
- Green light to physicians to order lots of diagnostic tests.
- Lost opportunity to bring employees back to modified duty work within 3 Day Wait Period.
- Accompany injured worker to clinic -” keep stories” straight and identify light duty availability.
- Require a POST-Drug screening. 9A

8



9

## **Work Closely with Your Adjuster**

- Contact regularly
- Keep communication lines open
- Upgrade regarding any changes in the claim
- QUESTIONS !!!!!

10

**THANK YOU**  
**Give me a Big Smile! ! ! !**

